



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES ADMINISTRATION
METRO OFFICE BUILDING
800 SECOND AVENUE, SOUTH 3RD FLOOR
P.O. BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE: (615) 862-6500
FACSIMILE: (615) 862-6514
www.nashville.gov/codes

August 9, 2007

Members of the Board of Zoning Appeals
800 2nd Avenue South
Nashville, TN 37201

RE: Appeal Case #2007-079
100 Shields Lane

Members of the Board:

The above referenced case is an appeal from my determination that the appellant's use of the subject property is classified as a "kennel/stable" under the Zoning code. As I understand the applicant's allegation is that he operates a "dog rescue service" whereby he takes in stray or unwanted dogs and keeps them until he can adopt them out. This is done without remuneration.

The definition of "kennel/stable" in the Code reads as follows:

"Kennel/stable" means any lot, building, structure or premises used for the boarding, breeding, training and/or raising of domestic animal/wildlife (excludes livestock), whether by owners of such animals or by persons providing facilities and care, whether or not for compensation, but shall not apply to the keeping of animals in a municipal animal pound, pet store, a bona fide laboratory for scientific or experimental purposes (e.g. dental, veterinary, pharmaceutical or biological) or in a veterinary establishment for the purpose of observation and/or recovery necessary to veterinary treatment."

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It is my opinion that this use clearly fits the definition above. The applicant is boarding dogs on his lot or in a structure and providing facilities and care; receiving compensation or not is immaterial here. It is for these reasons and the fact that this use is not permitted in a "R10" zone district that the permit was denied.

Sincerely,

A handwritten signature in cursive script that reads "Lon F. West". The signature is written in dark ink and has a fluid, connected style.

Lon F. West
Metropolitan Zoning Administrator

LFW:ljb